

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES EARL CRENSHAW,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:07cv793-MHT
)	(WO)
COOSA COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On September 7, 2007, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. That the Recommendation be and is hereby ADOPTED.
2. That the plaintiff's claims against the Coosa County Jail, Wal-Mart and Judge Rochester be and are hereby DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), (ii) and (iii).
3. That the Coosa County Jail, Wal-Mart and Judge Rochester be and are hereby DISMISSED as defendants in this cause of action.
4. That the plaintiff's challenges to the constitutionality of the criminal charge pending him before the Circuit Court of Coosa County, Alabama be and are hereby dismissed without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time.

5. That this case, with respect to the plaintiff's claims against Sheriff Terry Wilson and Lt. Stover, be and is hereby REFERRED BACK to the Magistrate Judge for appropriate proceedings.

DONE, this the 26th day of September, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE